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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,814	01/10/2001	Nobuhiro Komata	SCEI 17.986	7365

26304 7590 03/21/2003

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NEW YORK, NY 10022-2585

EXAMINER

ARNOLD, ADAM

ART UNIT	PAPER NUMBER
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2697

DATE MAILED: 03/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/757,814

Applicant(s)

KOMATA, NOBUHIRO

Examiner

Adam Arnold

Art Unit

2697

JD

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5-6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinelli, U.S. Patent No. 5,943,044. Referring to claim 1, Martinelli discloses a recording medium on which is recorded a computer-readable and executable software program (i.e. "graphical user interface" col. 7, lines 43-45) that performs processing (col. 7, line 44) by taking as instructions an output from a controller of a computer the controller having pressure-sensitive means (col. 7, lines 34-38), where the software comprises a processing program that moves an object with a screen of a computer display depending on the output of the controller (col. 7, lines 43-48). Martinelli does not disclose a "TV monitor of the computer."). At the time the invention was made it would have been obvious to a person of ordinary skill in the art to display the messages on a computer display as opposed to a television monitor of the computer. One of ordinary skill in the art would have been motivated to do this because a television monitor is the functional equivalent of a computer display for the purpose of computer graphics displays.

Referring to claim 2, Martinelli further discloses where a distance of movement of an object on the display is determined by the rate of change of the output value of the controller (col. 8, lines 32-35).

Referring to claim 3, Martinelli further discloses where the distance of movement of the object is determined by the rate of change per unit time of an output value of the controller determined by utilizing the rate of change and the current position of the object (col. 8, lines 36-40).

Referring to claim 4, the remarks presented above with respect to claim 1 apply equally to this claim.

Referring to claim 5, the remarks presented above with respect to claim 2 apply equally to this claim.

Referring to claim 6, the remarks presented above with respect to claim 3 apply equally to this claim.

Referring to claim 7, the remarks presented above with respect to claim 1 apply equally to this claim.

Referring to claim 8, the remarks presented above with respect to claim 2 apply equally to this claim.

Referring to claim 9, the remarks presented above with respect to claim 3 apply equally to this claim.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Adam Arnold** whose telephone number is **703-305-8413**. The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:00 AM and 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso, can be reached at (703) 305-3885.

Any response to this action should be mailed to:

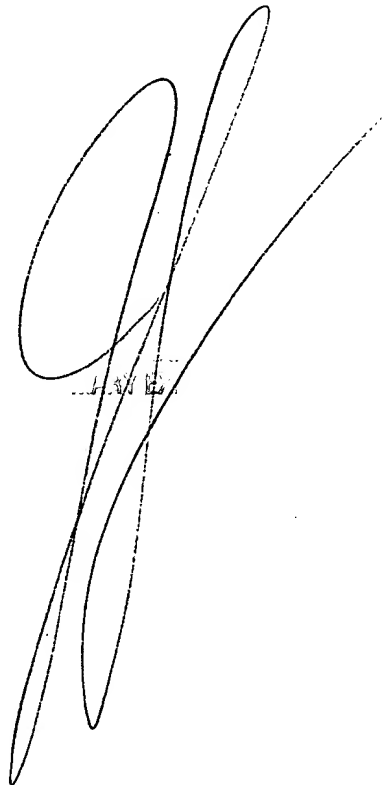
Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long, sweeping tail that extends downwards and to the right.